

1-1 By: Johnson, et al. (Senate Sponsor - Huffman) H.B. No. 1284  
1-2 (In the Senate - Received from the House April 25, 2013;  
1-3 April 29, 2013, read first time and referred to Committee on  
1-4 Criminal Justice; May 17, 2013, reported favorably by the  
1-5 following vote: Yeas 7, Nays 0; May 17, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Whitmire	X		
1-9	Huffman	X		
1-10	Carona	X		
1-11	Hinojosa	X		
1-12	Patrick	X		
1-13	Rodriguez	X		
1-14	Schwertner	X		

1-15 A BILL TO BE ENTITLED  
1-16 AN ACT

1-17 relating to the offense of making or causing a false alarm or report  
1-18 involving a public or private institution of higher education.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Subchapter E, Chapter 51, Education Code, is  
1-21 amended by adding Section 51.219 to read as follows:

1-22 Sec. 51.219. NOTIFICATION OF PENALTY FOR FALSE ALARM OR  
1-23 REPORT. (a) In this section, "institution of higher education" and  
1-24 "private or independent institution of higher education" have the  
1-25 meanings assigned by Section 61.003.

1-26 (b) Each institution of higher education and private or  
1-27 independent institution of higher education shall notify all  
1-28 incoming students, as soon as practicable, of the penalty for the  
1-29 offense under Section 42.06, Penal Code, of making a false alarm or  
1-30 report involving a public or private institution of higher  
1-31 education.

1-32 (c) Notwithstanding Subsection (b), a private or  
1-33 independent institution of higher education is not required to  
1-34 comply with Subsection (b) if the institution determines that  
1-35 providing notice as required by that subsection is not feasible.  
1-36 This subsection expires August 1, 2014.

1-37 (d) Not later than October 1, 2013, each institution of  
1-38 higher education shall notify all enrolled students of the penalty  
1-39 for the offense under Section 42.06, Penal Code, of making a false  
1-40 alarm or report involving a public or private institution of higher  
1-41 education. This subsection expires December 31, 2013.

1-42 SECTION 2. Section 42.06(b), Penal Code, is amended to read  
1-43 as follows:

1-44 (b) An offense under this section is a Class A misdemeanor  
1-45 unless the false report is of an emergency involving a public or  
1-46 private institution of higher education or involving a public  
1-47 primary or secondary school, public communications, public  
1-48 transportation, public water, gas, or power supply or other public  
1-49 service, in which event the offense is a state jail felony.

1-50 SECTION 3. The change in law made by this Act applies only  
1-51 to an offense committed on or after the effective date of this Act.  
1-52 An offense committed before the effective date of this Act is  
1-53 governed by the law in effect on the date the offense was committed,  
1-54 and the former law is continued in effect for that purpose. For  
1-55 purposes of this section, an offense was committed before the  
1-56 effective date of this Act if any element of the offense occurred  
1-57 before that date.

1-58 SECTION 4. This Act takes effect immediately if it receives  
1-59 a vote of two-thirds of all the members elected to each house, as  
1-60 provided by Section 39, Article III, Texas Constitution. If this  
1-61 Act does not receive the vote necessary for immediate effect, this

2-1 Act takes effect September 1, 2013.

2-2 \* \* \* \* \*